



# Washington State Legislature

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## **New law will protect the rights of domestic violence victims**

**By Sen. Pat Hale**

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He told her she wouldn't get the house.

In the beginning, Kittis Bolduc of Kent was just a woman trying to escape a wife-beating husband. She didn't ask to be a victim, a martyr, or a catalyst for change. But in the course of a year, she has become each in turn. And we are all better off for it.

On a cold January night in 1996, Joseph Bolduc followed through on a threat he'd made against his wife, Kittis, when she filed for divorce. He told her she wouldn't get the house in the divorce, and to make sure she didn't, he burned the house to the ground the night before the divorce was final.

Kittis and her children were fortunate enough to be out of the house when the fire started, but their lives were turned upside-down by the disaster, even if they were not physically touched by the flames.

The authorities put Joe Bolduc away for his crime — three years in the state penitentiary. It doesn't seem like enough, but at least he's going to pay for his crime. But his vengeful act of domestic violence against Kittis Bolduc and her two children didn't end there.

Because Joseph and Kittis Bolduc were both named on the property's insurance policy, Kittis ran into a problem when she filed an insurance claim. The problem? The Bolducs' insurance policy did not provide coverage to pay for Joseph's intentional destruction of their home (most policies don't). Kittis, who had been victimized by an abusive husband, then victimized again when he turned into an arsonist, found herself again a victim — of an insurance policy she herself signed.

In the news media, Kittis Bolduc became a martyr, a symbol of the 4 million women who are abused in the United States annually. But all she wanted was a home for herself and her children.

I'm pleased that the Kittis Bolduc story has a happy ending: the insurance company not only paid the mortgage on her burned-out home, but also found a way to provide additional money for her new home. As we speak, the Bolduc family is starting over in Kent — this time minus the abusive ex-husband.

For legislators, Kittis Bolduc's plight was a wake-up call. For three years, the Legislature had struggled with how best to protect the rights of domestic abuse victims seeking property insurance benefits. And for three years, we had been unable to find the right answer. Until this year.

Gov. Gary Locke has on his desk legislation passed unanimously by the Legislature specifically designed to protect equal access to property insurance benefits for victims of domestic abuse.

When Gov. Locke signs Substitute Senate Bill 6565, Washington will join a few other states that prohibit insurers from refusing to insure or charging higher rates to people who are, have been or could have been victims of domestic abuse. That's great news, but it's not all.

The legislation we sponsored goes further by also requiring insurance companies to pay claims filed by domestic abuse victims when acts of domestic violence damage their property. I know of no other state Legislature that has enacted such clear protection for domestic abuse victims.

The right of an insurance company to not pay a claim for intentional damage caused by a policyholder against his or her own property is an important one for all of us who buy insurance. Without what's called the "intentional act exclusion," we would all pay much higher premiums to cover the cost of repairing or replacing homes and valuables intentionally destroyed by their owners.

This new law will make clear, to insurance companies and victims of abuse, that innocent victims who suffer at the hands of an abuser need and deserve equal access to insurance, and the benefit of the doubt when a claim is filed.

Legislators wrote, debated and passed this bill. Washington's major insurance companies supported it, as did advocates for abuse victims and Washington's elected Insurance Commissioner Deborah Senn.

But while there's plenty of credit to go around, those who are helped by this legislation ultimately owe thanks to Kittis Bolduc. She didn't ask for the chance to bring all these groups together to change state law . . . but it may not have happened without her.

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*State Sen. Pat Hale, R-Kennewick, is a member of the Senate Financial Institutions, Insurance and Housing Committee, and the prime sponsor of SSB 6565.*